

**Application Number 10/587,801**  
**AMENDMENT of July 8, 2010**  
**Response to Office Action of April 28, 2010**

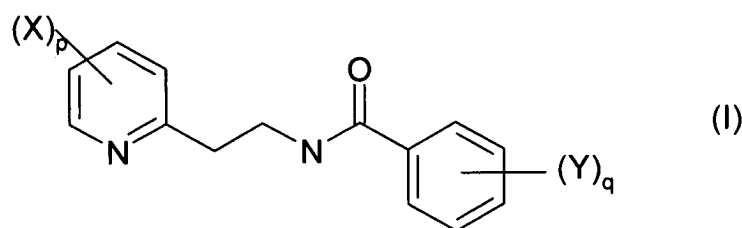
**Amendments to the Claims:**

This listing of claims will replace all prior versions and listings of claims in the application.

**Listing of Claims:**

1. (Currently Amended) A composition comprising:

a) (a) a pyridylethylbenzamide derivative of ~~general~~ formula (I)



in which:

p is an integer equal to 1, 2, 3 or 4;

q is an integer equal to 1, 2, 3, 4 or 5;

each substituent X is ~~chosen~~, independently of the others, as being selected from the group consisting of halogen, alkyl ~~or~~ and haloalkyl;

each substituent Y is ~~chosen~~, independently of the others, as being selected from the group consisting of halogen, alkyl, alkenyl, alkynyl, haloalkyl, alkoxy, amino, phenoxy, alkylthio, dialkylamino, acyl, cyano, ester, hydroxy, aminoalkyl, benzyl, haloalkoxy,

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halosulphonyl, halothioalkyl, alkoxyalkenyl, alkylsulphonamide, nitro, alkylsulphonyl, phenylsulphonyl ~~or~~ and benzylsulphonyl;

as and to the N-oxides of the 2-pyridine moiety thereof; and

b) ~~(b)~~ a compound capable of inhibiting ~~the~~ ergosterol biosynthesis;

in a an (a)/(b) weight ratio of from 0.01 to 20.

2. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim ~~1~~, characterised in that 10 wherein p is 2.

3. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim ~~1~~, characterised in that 10 wherein q is or 2.

4. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim ~~1~~, characterised in that 10 wherein each X is chosen, independently of the others, as being selected from the group consisting of halogen or and haloalkyl.

5. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim ~~1~~, characterised in that 10 wherein each X is chosen, independently of the others, as being selected from the group consisting of a chloro atom or and a trifluoromethyl group.

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6. (Currently Amended) ~~A~~ The composition according to of claim ~~1~~, characterised in that 10 wherein each Y is chosen; independently of the others, as being selected from the group consisting of halogen or and haloalkyl.

7. (Currently Amended) ~~A~~ The composition according to of claim ~~1~~, characterised in that 10 wherein each Y is chosen; independently of the others, as being selected from the group consisting of a chloro atom or and a trifluoromethyl group.

8. (Currently Amended) ~~A~~ The composition according to of claim ~~1~~, characterised in that 10 wherein the compound of general formula (I) is selected from the group consisting of:  
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide;  
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-iodobenzamide; ~~or and~~  
N-{2-[3,5-dichloro-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide.

9. (Currently Amended) ~~A~~ The composition according to of claim ~~8~~, characterised in that wherein the compound of general formula (I) is  
N-{2-[3-chloro-5-(trifluoromethyl)-2-pyridinyl]ethyl}-2-trifluoromethylbenzamide.

10. (Currently Amended) ~~A~~ The composition according to of claim ~~1~~, characterised in that wherein the compound capable of inhibiting the ergosterol biosynthesis biosynthesis is a

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triazole derivative selected from the group consisting of azaconazole, bitertanol, bromuconazole, cyproconazole, difenoconazole, diniconazole, epoxiconazole, fenbuconazole, fluquinconazole, flusilazole, flutriafol, hexaconazole, imibenconazole, ipconazole, metconazole, myclobutanil, penconazole, propiconazole, prothioconazole, simeconazole, tetraconazole, triadimefon, triadimenol, triticonazole, diclobutrazole, etaconazole, fluotrimazole, furconazole, furconazole-cis, triamiphos, and triazbutil.

11-18. (Canceled)

19. (Currently Amended) ~~A~~ The composition according to of claim ~~1~~ 10 further comprising a fungicidal compound (c) that is different from (a) and (b) and is selected from the group consisting of azaconazole, azoxystrobin,  
(Z)-N-[.alpha.-(cyclopropylmethoxyimino)-2,3-difluoro-6-(trifluoromethyl)-benzyl]-2-phenylacetamide, 6-iodo-2-propoxy-3-propylquinazolin-4(3H)-one, benalaxyl, benomyl, bentiavalicarb, biphenyl, bitertanol, blasticidin-S, boscalid, borax, bromuconazole, bupirimate, sec-butylamine, calcium polysulfide, captafol, captan, carbendazim, carboxin, carpropamid, chinomethionat, chlorothalonil, chlozolate, copper hydroxide, copper octanoate, copper oxychloride, copper sulfate, cuprous oxide, cyazofamid, cymoxanil, cyproconazole, cyprodinil, dazomet, debacarb, dichlofluanid, dichlorophen, diclobutrazole, diclocymet, diclomezine, dicloran, diethofencarb, difenoconazole, difenzoquat metilsulfate, difenzoquat,

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diflumetorim, dimethirimol, dimethomorph, diniconazole, dinobuton, dinocap, diphenylamine,  
dithianon, dodemorph, dodemorph acetate, dodine, edifenphos, epoxiconazole, etaconazole,  
ethaboxam, ethirimol, ethoxyquin, etridiazole, famoxadone, fenamidone, fenarimol,  
fenbuconazole, fenfuram, fenhexamid, fenciclonil, fenoxanil, fenpropidin, fenpropimorph,  
fentin, fentin hydroxide, fentin acetate, ferbam, ferimzone, fluazinam, fludioxonil, fluoroimide,  
fluoxastrobin, fluquinconazole, flusilazole, flusulfamide, flutolanil, flutriafol, folpet,  
formaldehyde, fosetyl, fosetyl-aluminium, fuberidazole, furalaxyl, furametpyr, guazatine,  
guazatine acetates, hexachlorobenzene, hexaconazole, 8-hydroxyquinoline sulfate, potassium  
hydroxyquinoline sulfate, hymexazol, imazalil sulfate, imazalil, imibenconazole, iminoctadine,  
iminocadine triacetate, ipconazole, iprobenfos, iprodione, iprovalicarb, isoprothiolane,  
kasugamycin, kasugamycin hydrochloride hydrate, kresoxim-methyl, mancopper, mancozeb,  
maneb, mepanipyrim, mepronil, mercuric chloride, mercuric oxide, mercurous chloride,  
metalaxyl, metalaxyl-M, metam-sodium, metam, metconazole, methasulfocarb, methyl  
isothiocyanate, metiram, metominostrobin, mildiomyacin, myclobutanil, nabam, nickel  
bis(dimethyldithiocarbamate), nitrothal-isopropyl, nuarimol, othilinone, ofurace, oleic acid,  
oxadixyl, oxine-copper, oxpoconazole fumarate, oxycarboxin, pefurazoate, penconazole,  
pencycuron, pentachlorophenol, sodium pentachlorophenoxide, pentachlorophenyl laurate,  
phenylmercury acetate, sodium 2-phenylphenoxide, 2-phenylphenol, phosphorous acid,  
phthalide, picoxystrobin, piperalin, polyoxinspolyoxin B, polyoxin, polyoxorim, probenazole,  
prochloraz, procymidone, propamocarb hydrochloride, propamocarb, propiconazole, propineb,

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prothioconazole, pyraclostrobin, pyrazophos, pyributicarb, pyrifenox, pyrimethanil, pyroquilon, quinoxifen, quintozone, silthiofam, simeconazole, spiroxamine, sulfur, tar oils, tebuconazole, tecnazene, tetraconazole, thiabendazole, thifluzamide, thiophanate-methyl, thiram, tolclofos-methyl, tolylfluanid, triadimefon, triadimenol, triazoxide, tricyclazole, tridemorph, trifloxystrobin, triflumizole, triforine, triticonazole, validamycin, vinclozolin, zineb, ziram and zoxamide.

20. (Currently Amended) ~~A~~ The composition ~~according to~~ of claim 19, ~~characterised in that~~  
wherein the fungicidal compound (c) is selected from the group consisting of trifloxystrobin,  
fluoxastrobin, pyrimethanil, thiabendazole, guazatine, imidoctadine, picoxystrobin,  
pyraclostrobin, azoxystrobin, dimoxystrobin, metaminostrobin,  
2-{2-[6-(3-chloro-2-methylphenoxy)-5-fluoro-pyrimidin-4-yloxy]-phenyl}2-m-  
ethoxyimino-N-methylacetamide, captane, dodine, propineb, mancozeb, spiroxamine,  
prothioconazole, tebuconazole, thirame, tolylfluanid, iminoctadine, dithianon, sulphur, copper  
hydroxide, copper octanoate, copper oxychloride, copper sulfate, dinocap, quinoxifen,  
2-butoxy-6-iodo-3-propyl-benzopyran-4-one, fludioxonil, triazoxide, fosetyl-Al and phosphorous  
acid.

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21. (Currently Amended) A ~~The composition according to~~ of claim 1, ~~characterised in that it~~  
10 further comprises comprising an agriculturally acceptable support, carrier, filler and/or  
surfactant.

22. (Currently Amended) A method for preventively or curatively controlling  
phytopathogenic fungi of crops, ~~characterised in that~~ comprising applying an effective and  
non-phytotoxic amount of a ~~the composition according to~~ of claim 1 ~~is applied~~ 10 to the seed, the  
plant and/or to the fruit of the plant or to the soil in which the plant is growing or in which it is  
desired to grow.

23. (New) The composition of claim 10 wherein the compound capable of inhibiting the  
ergosterol biosynthesis is a triazole derivative selected from the group consisting of bitertanol,  
cyproconazole, difenoconazole, epoxiconazole, fluquinconazole, hexaconazole, metconazole,  
myclobutanil, propiconazole, prothioconazole, and triadimenol.

24. (New) The composition of claim 23 wherein the compound capable of inhibiting the  
ergosterol biosynthesis is a triazole derivative selected from the group consisting of  
cyproconazole, fluquinconazole, and prothioconazole.